IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 6013 of 2005

Between:

1 M. Ramchandraiah S/o. Gangaiah
Marketing Society Limited, Nalgonda,

R/o. Nalgonda, Nalgonda District.
2 K. Ramulu S/o. Rajaiah
Marketing Society Limited, Nalgonda,

R/o. Nalgonda, Nalgonda District.

..... PETITIONERS

AND

1 The Joint Collector/P.I.C. Chair-person,

Nagarjuna District Co-operative Marketing Society
Limited, Nalgonda, Nalgonda District.
2 The Branch Manager, Nagarjuna District Co-operative

Marketing Society Limited, Nalgonda, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ or order or direction particularly in the nature of writ of mandamus by declaring the action of the respondents in terminating our services without valid reasons is illegal, arbitrary, unjust unfair and violation of Articles 14, 21 and 300(A) of Constitution of India and also violation of Provisions contemplated in the Andhra Pradesh Cooperative Societies Act and set aside the termination order
dt. 30-10-2004 in Proc.No. 11/2003-04 in respects of 1st petitioner and set aside the termination orders Proc.No. 11/2003-04/29 dt. 30-10-2004 in respect of 2nd petitioner and consequently direct the respondents to continue the petitioners in their respective posts and pass such orders and further orders or any orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: SMT.N.KAMALA MEHAR
Counsel for the Respondent Nos.1 and 2: GP FOR COOPERATION

The Court at the admission stage made the following:

ORDER:

Declaring the action of the respondents in terminating the services of the petitioners without valid reasons, as illegal and arbitrary, the present writ petition is filed.

Heard the learned Counsel for the petitioner and the learned Government Pleader for Cooperation.

The petitioners were removed from service under Section
116 (C)(1) of Andhra Pradesh Cooperative Societies Act, 1964. As against the impugned order, an effective remedy by way of an appeal or revision is available before a Labour Court or a Forum constituted under A.P. Shops and Establishment Act.

Therefore, the Writ petition is disposed of, giving liberty to the petitioners to avail such remedies. No order as to costs.

Dated: 23.03.2005

Dsr

Note:

Issue CC in one week

B/o

Dsr

ASSISTANT REGISTRAR

To:

1. The Joint Collector/P.I.C.Chair person,

Nagarjuna District Cooperative Marketing

Society Limited, Nalgonda, Nalgonda District

2. The Branch Manager,

Nagarjuna District Cooperative Marketing

Society Limited, Nalgonda, Nalgonda District

3. Two CCs to the Government Pleader for

Cooperation, High Court Buildings,

Hyderabad (OUT)

4. Two CD copies